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ABSTRACT

This paper discusses the presidential vetoes of the Nixon Administration. Four of these involved measures appropriating money to implement existing federal aid to education programs. This paper also analyzes the roles played by urban congressmen in the deliberations surrounding the vetoes. Nixon vetoed four education appropriation bills in less than four years. Attempts to override these attracted an aggregate total of 718 votes, constituting an average of 60.3% of the House membership. The President was determined to exercise his constitutional perogative of the veto, but urban congressmen were equally determined to defy the President. (Author/AM)

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URBAN CONGRESSMEN AND THE EDUCATION BILL VETOES OF PRESIDENT RICHARD M. NIXON"

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On January 20, 1969 Richard M. Nixon was sworn in as the Thirty-Seventh President of the United States. Between the inaugural ceremonies on this day and the dramatic resignation of the President on August 9, 1974 the nation was destined to experience one of the most turbulent periods in its entire history. Among the major domestic issues dominating these years were school desegregation, health insurance, revenue sharing, the complexion of the federal judiciary, the Watergate scandal, and the events surrounding the impeachment proceedings. In the realm of foreign policy there were such historic developments as the Camobian incursion, the Vietnam peace negotiations, the Middle East crisis of 1973, and the diplomatic overtures to the Soviet Union and Communist China.

During this momentous five and one-half year period relations between President Nixon and Congress were generally strained and occasionally acrimonious. Massive publicity, of course, has been focussed on the unprecedented rejection of two Supreme Court nominees, the frequent impoundment of funds appropriated by Congress for various federal programs, the President's difficulties with the Ervin and Rodino Committees, and the prolonged disputes over access to the White House tapes.

Relatively little attention, however, has been devoted to the numerous presidential vetoes of the Nixon Era.

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Interestingly, four of these vetoes involved measures appropriating money to implement existing federal aid-to-education programs. These vetoes were as follows: 1) The $19.7 Billion Labor-HEW Appropriation Bill for Fiscal 1971; 2) The $4.4 Billion Office of Education Appropriation Bill for Fiscal 1971; 3) The $30.6 Billion Labor-HEW Appropriation Bill for Fiscal 1973; 4) The Modified $29.4 Billion Labor-HEW Appropriation Bill for Fiscal 1973.

Since the Constitution stipulated that all appropriations bills must originate in the House of Representatives, it became the primary responsibility of that body to determine whether these vetoes would be sustained or overridden. Accordingly, on three occasions in 1970 and 1972 the House scheduled roll call votes on the respective vetoes. The purpose of this paper will be to analyze the roles played by urban congressmen in the accompanying deliberations:

The initial presidential veto was announced on January 27, 1970. In a lengthy message to the House and Senate, the President explained why he could not approve the Labor-HEW Appropriation. Complaining that the bill was $1.3 billion over his budget request, Nixon asserted that it was the largest excess ever approved for the Department of Health, Education, and Welfare. The President cited the following

four reasons to justify his veto:

> One, these increases are excessive in a period of serious inflationary pressures. We must draw the line and stick to it if we are to stabilize the economy.
>
> Two, nearly nine-tenth of these increases is for mandatory programs which leave the Executive Branch no discretion whatever either as to the level or the purpose of the added expenditures. This fact sharply differentiates this appropriation from other inflated measures that I have approved.
>
> Three, the added funds are for lower priority programs.
>
> Four, because of the lateness of the fiscal year, increases of this magnitude cannot be used effectively in many cases.1

It was soon apparent that a substantial number of the members of the House were in complete disagreement with the President on the wisdom of his veto. Urban congressmen were especially critical of Nixon's decision. Indeed of the forty-five floor speeches in opposition to the veto, thirty-one were delivered by urban congressmen (69.1%).

The most outspoken members of the House were Representatives Daniel J. Flood of Pennsylvania, Charles A. Vanik of Ohio, James M. Hanley of New York, Andrew Jacobs, Jr. of Indiana, Lionel Van Deerlin of California, and Edward P. Boland of Massachusetts. The six gentlemen represented approximately 2.6 million urban residents.

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[1] Post, Washington, D.C., January 27, 1970, pp. 1, 6; Times, New York, N.Y., January 27, 1970, pp. 1, 24.

Arguing that the President's education budget was "inadequate and would not stand the test of congressional scrutiny," Flood commented that Nixon had been "badly advised" in his decision to veto the bill.[2] Vanik, declaring that he could not reconcile the veto with the President's willingness to spend enormous amounts on such projects as the supersonic transport and the anti-ballistic missile, insisted that it was "crude" to single out education as the victim of an attack on inflation.[3] In alluding to the veto Hanley charged that Nixon "desparately needs a scapegoat to blame for the total failure of his campaign to halt rising prices."[4] Quipping "billions for defense waste, but not one cent for what we are supposed to be defending," Jacobs asked: "Is that the philosophy we want for America?".[5] Van Deerlin stressed that the presidential veto would "create tremendous problems for many school systems."[6] Warning his colleagues that the veto posed an "alarming threat to virtually every educational institution throughout the United States," Boland dismissed the President's view that the bill would fuel inflation as "patent nonsense."[7]

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[2]United States Congress, Congressional Record, Ninety-First Congress, Second Session (Washington: United States Government Printing Office, 1970), CXVI, 1484-1485.

[3]Ibid., 1500.

[4]Ibid., 1500-1501.

[5]Ibid., 1505.

[6]Ibid., 1518.

[7]Ibid., 1520.

Notwithstanding the strongly-worded sentiments voiced by the aforementioned congressmen, the House voted 226-191 to sustain the President's veto.[8] This margin, although comfortably over an absolute majority, was fifty-two votes less than the constitutionally mandated two-thirds. Within the ranks of urban congressmen, however, the statistics were appreciably different. A survey of the approximately two hundred most urbanized districts indicated overwhelming sentiment against the President's action. Congressmen representing these urban constituencies voted 139-50 (73.6%) to reverse the veto.[9] Even more emphatic was the 68-17 vote (80.0%) to override cast by members from the nation's twenty-five most populous cities, including the unanimous support of the delegations from New York (19-0), Detroit (6-0), Philadelphia (5-0), Cleveland (3-0), Baltimore (3-0), Pittsburgh (3-0), Saint Louis (2-0), and Milwaukee (2-0).

President Nixon's second veto was invoked on August 11, 1970. On this date the President dispatched a relatively brief message to Capitol Hill, vowing that he was determined to prevent a "dangerous budget deficit" and resist the "kind of big spending that would drive up

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[8] Congressional Record, CXVI, 1552-1553; Post, Washington, D.C., January 29, 1970, pp. 1, 10; Times, New York, N.Y., January 29, 1970, pp. 1, 22.

[9] From the various regions urban congressmen voted to override the veto as follows: East 69-8 (89.7%); South 18-16 (52.9%); Midwest 33-18 (64.7%); and West 19-8 (70.4%).

prices or demand higher taxes." Accentuating the fact that the appropriation was $453 million over his budget request, Nixon charged that the bill raised the "spending of old approaches that experience has proved inadequate, rather than moving boldly on new approaches that we need."[10]

Similiar to what had occurred on the floor of the House during the January debate, urban congressmen were in the forefront of the movement to disparage the President's veto. Of the twenty-one members of the House who availed themselves of the opportunity to denounced the veto, sixteen (75.2%) represented urban constituencies.

Particularly vocal were Representatives Flood, John W. McCormack of Massachusetts, Ray J. Madden of Indiana, and Edward I. Koch of New York. Convinced that the President's decision was "political, because the veto will not stand up when measured by any other standard," Flood ridiculed the idea that the "miniscule" increase in the appropriation could possibly have any meaningful impact on the nation's economy.[11] McCormack, maintaining that the amount of the appropriation was "reasonable under the circumstances," labeled the President's claim of inflation as a "scarecrow" tactic.[12] Stating that the vast majority of urban citizens

[10] Post, Washington, D.C., August 12, 1970, pp. 1, 10; Times, New York, N.Y., August 12, 1970, pp. 1, 21.

[11] Congressional Record, LXVI, 28763.

[12] Ibid., 28761-28762.

were demanding considerable allotments of school aid from the government, Madden was certain that the veto, if not overridden, would "again throw a cloud over the progress of the American school system and affect the education of millions of our American youth."[13] Koch, concerned that the nation's education problems were complicated by "great financial distress," reasoned that, if Nixon were "interested in the people as opposed to a political ploy," he would be striving to change our national priorities."[14]

Unlike the situation in January, the members of the House seemed somewhat more inclined to override the President's second veto. When the roll call was tabulated on August 13, the House voted 289-114 to override,[15] twenty votes more than the requisite margin. While the overall House vote was obviously decisive, the vote among urban congressmen was even more noteworthy. Urban congressmen favored the motion to override by a 153-32 majority (82.7%). The proportions among congressmen from the various region of the nation were as follows: East 69-3 (95.9%); South 24-11 (68.6%); Midwest 38-10 (79.2%); West 22-8 (73.3%).

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[13] Ibid., 28767.

[14] Ibid., 28777.

[15] Ibid., 28779; Post, Washington, D.C., August 14, 1970, pp. 1, 4; Times, New York, N.Y., August 14, 1970, pp. 1, 16.

President Nixon's third veto became official on August 16, 1972. Irritated that the appropriation exceeded his budget recommendation by $1.8 billion, the President assailed the bill as a "perfect example of that kind of reckless Federal spending that just cannot be done without more taxes or more inflation." Nixon, alleging that the bill would guarantee a cut in purchasing power for every American family, lamented that the "failure of the Congress to use balance and restraint in the framing of H.R. 15417 has turned it into a big-spending measure that impairs the Nation's economic health."[16]

In sharp contrast to the previous House debates, only one congressman sought recognition to speak on the President's veto. This gentleman was Representative Hale Boggs of Louisiana, Assistant Majority Leader. Boggs, reminding his colleagues that Nixon had "developed a habit" of vetoing education bills, stressed that education was one of the "great problems" facing the nation. Although sorry that the President did not acknowledge the significance of education in "his list of priorities," the New Orleans congressman believed that the basic issue was "quite clear" to members of the House.[17]

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[16] Richard M. Nixon: The Public Papers of the President of the United States, 1972 (Washington: United States Government Printing Office, 1974), pp. 776-778; Post, Washington, D.C., August 17, 1972, pp. 1, 7; Times, New York, N.Y., August 17, 1972, pp. 1, 12.

[17] Congressional Record, CXVIII, 28416.

Congressman Boggs was quite correct in declaring that the House membership clearly understood the issue of Nixon's third veto. Minutes after Boggs terminated his remarks, the House voted 203-171 to sustain the President,[18] a margin of forty-seven votes less than the necessary two-thirds majority. The variation in voting patterns between the entire House and urban congressmen was enormous. Congressmen from urban distrcts ballotted 142-43 (76.8%) to override the veto, while congressmen from the country's twenty-five largest cities voted against the President by a 69-16 majority (81.2%). Opposition to the President was especially pronounced in the Northeast and Midwest, were congressmen voted 61-9 (87.2%) and 38-10 (79.2%) respectively in favor of overriding.[19]

President Nixon vetoed his fourth and final education bill on October 27, 1972. On this occasion the President portrayed the bill as a "textbook example of the seeming inability or unwillingness of the Congress to follow a prudent and responsible spending policy." Recalling the "clearly excessive" appropriation bill he had rejected two months earlier, Nixon climaxed his terse message as

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[18] Ibid., 28416.

[19] Urban congressmen from the South voted 17-14 (54.8%) to override, while congressmen from urban areas in the West voted 20-10 (66.7%) likewise.

follows: "H.R. 16654 is as unwarranted as the version I vetoed last August."[20] Inasmuch as the Ninety-Second Congress had formally adjourned in early October, there was, of course, no opportunity for the House of Representatives to attempt to override the veto.

Easily re-elected to a second term on November 7, 1972, President Nixon virtually ignored the question of education throughout the remaining nineteen months of his incumbency. Instead he was preoccupied with filling the numerous vacancies in his Cabinet, reacting to the indictments of many of his former principal subordinates, appointing and then summarily dismissing a special prosecutor, continually wrangling with the Ervin Committee, experiencing the humiliation of the various articles of impeachment by the House Judiciary Committee, and finally resigning from the presidency in disgrace. While the first Nixon Administration was in many respects highlighted by a series of vigorous struggles between the President and Congress, the second Administration with each passing month became merely a struggle for survival.

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[20] Papers of the President, 1972, pp. 1042-1043.

As a member of the House of Representatives and the United States Senate and as Vice-President, Richard M. Nixon had been conspicuously unsympathetic to federal aid-to-education. After his accession to the White House, he vetoed four education appropriations bills in less than three years. Attempts to override these vetoes attracted an aggregate total of seven hundred and eighteen House votes, constituting an average of slightly more than sixty percent of the membership (60.3%). Among urban congressmen four hundred and thirty-five votes (77.6%) were accumulated against Nixon's vetoes, while among congressmen from districts in the nation's largest twenty-five cities two hundred and six such votes (80.8%) were cast. Considering the background of the President's record on education and the fact that his relationship with the academic community had never been especially cordial, these vetoes should not have occasioned great surprise. It has been generally accepted that Nixon was oblivious to urban problems and was adamant in his commitment to eliminate or curtail many of the domestic programs sponsored by previous Democratic Administrations. Although the overall excesses in these four bills amounted to only $4.2 billion of appropriations totaling $84.1 billion (4.9%), the President was determined to exercise his constitutional prerogative of the veto. While individually or collectively these bills were by no means perfect, I cannot resist the temptation to conclude that President Nixon was insensitive to our most precious natural resources.

ABSTRACT

On January 20, 1969 Richard M. Nixon was sworn in as the Thirty-Seventh President of the United States. Between the inaugural ceremonies on this day and the resignation of the President on August 9, 1974 the nation was destined to experience one of the most turbulent periods in its entire history. Among the major domestic issues dominating these years were school desegregation, health insurance, revenue sharing, the complexion of the Supreme Court, the Watergate scandal, the the events surrounding the impeachment proceedings. In the realm of foreign policy there were such historic developments as the Cambodian incursion, the Vietnam peace negotiations, the Middle East crisis of 1973, and the diplomatic overtures to the Soviet Union and China.

During this momentous five and one-half year period relations between Nixon and Congress were generally strained and occasionally acrimonious. Massive publicity has been focussed on the unprecedented rejection of two Supreme Court nominees, the frequent impoundment of funds appropriated by Congress, the Presidents difficulties with the Ervin and Rodino Committees, and the prolonged disputes over access to the White House tapes.

Relatively little attention, however, has been devoted to Nixon's numerous presidential vetoes. Interestingly, four of these vetoes involved measures appropriating money to implement existing federal aid-to-education programs.

These vetoes were as follows: 1) The $19.7 Billion Labor-HEW Appropriation Bill for Fiscal 1971; 2) The $4.4 Office of Education Appropriation Bill for Fiscal 1971; 3) The $30.6 Billion Labor-HEW Appropriation Bill for Fiscal 1973; 4) The Modified $29.4 Billion Labor-HEW Appropriation Bill for Fiscal 1973. The purpose of this paper will be to analyze the reaction of urban congressmen to these vetoes.

A substantial number of urban congressmen were in complete disagreement with the wisdom of the President's first veto. Indeed of the forty-five speeches in opposition to the veto, thirty-one (69.1%) were delivered by urban members. Although the House voted 226-191 to sustain Nixon's veto, congressmen from urban constituencies balloted 139-50 to reverse the President (73.6%).

Similar to what had occurred on the House floor during the earlier debate, urban congressmen were in the forefront of the movement to disparage the President's second veto. Of the twenty-one members who availed themselves of the opportunity to denounce the veto, sixteen (75.2%) represented urban districts. After the termination of debate, the House voted 289-114 to override Nixon. Urban congressmen favored the motion to override by a 153-32 majority (82.7%).

In sharp contrast to the previous House debates, only one congressman sought recognition to speak on the President's third veto. The House thereupon voted 203-171

to sustain the President. The variation in voting patterns between the entire House and urban congressmen was enormous. Congressmen from urban districts voted 142-43 (76.8%) to override the veto, while congressmen from the country's twenty-five largest cities voted against the President by a 69-16 majority (81.2%).

President Nixon vetoed his fourth and final education bill shortly before the 1972 election. Inasmuch as the Ninety-Second Congress had formally adjourned two weeks earlier, there was no opportunity for the House to attempt to override this veto.

After his accession to the White House in January 1969, Nixon vetoed four education appropriation bills in less than four years. Attempts to override these vetoes attracted an aggregate total of 718 votes, constituting an average of 60.3% of the House membership. Among urban congressmen 435 votes (77.6%) were accumulated against Nixon's vetoes, while among congressmen from the nation's twenty-five largest cities 206 such votes (80.8%) were cast. It has been generally accepted that Nixon was indifferent about urban problems and was adamant in his commitment to eliminate or curtail many of the domestic programs sponsored by previous Democratic Administrations. Although the overall execesses in the four education bills amounted to only $4.2 billions in appropriations totaling $84.1 billion (4.9%), the President was determined to exercise his constitutional prerogative of the veto. Urban congressman were equally determined to defy the President.